

Public Officials Bonds

County Records Annual Conference
April 2012

General Bond Statute IC 5-4-1-18

- Individual Surety Bonds
 - City judges, controllers, clerks, and clerk-treasurers
 - Town judges and clerk-treasurers
 - Auditors, treasurers, recorders, surveyors, sheriffs, coroners, assessors, and clerks
 - Township trustees and assessors (if any)
 - Those employees directed to file by the fiscal body of the city, town or county

Exception for Individual Surety Bonds

The fiscal body of a city, town, county, or township may by ordinance authorize the purchase of a blanket bond or a crime insurance policy endorsed to include faithful performance for:

All employees;
Commission members; and
Persons acting on behalf of the unit;
including those on the previous slide

Others Not Covered by the General Statute

- Prosecuting Attorney and Investigator
 - City and Town Manager
 - City and Town Police Pension Secretary
 - City and Town Utility Superintendent
 - Conservancy District Financial Clerk
 - School Officials
 - Library Officials
 - Hospital Officials
 - Redevelopment Commissioners*
- Pages 8-21 through 8-23

Official Bonds

- The bonds cover faithful performance of the duties, including conflict of interest and the duty to account properly for all monies and property received by virtue of his position.
- All official bonds shall be payable to the State of Indiana for faithful discharge of all duties required.

Approval of Bonds

- IC 5-4-1-8 tells you who approves
- A person who approves an official bond shall write the approval on the bond.
- A bond must be approved before it is filed.

Filing Requirements

- Every official, deputy or employee required to file a bond by IC 5-4-1-18, except those in the Recorder's office, shall file in the office of the Recorder of their county of residence.
- Recorder and staff file in the office of the clerk of the circuit court.

Filing Time Requirements

- These bonds required by IC 5-4-1-18 must be filed within 10 days of issuance unless approval is required.
- When approval is required, file within 10 days after approval by the person required to approve the bonds.

Other Filing Requirements

- Every county officer who is required to give bond shall have a copy of the oath of office recorded with the bond.
- An officer required to give an official bond shall give the bond before commencement of his term of office.
- An officer that fails to give bond before that time may not take office.

The Recorders Part

- The Recorder shall record all bonds filed, indexing them alphabetically under the name of the principal and referring to the title, office, and page number where recorded.
- The bonds shall be kept in a safe and convenient place in the recorder's office with a reference to the date filed and record and page where recorded.

Additional Information About Bonds

- A copy, a record or a copy of a record of an official bond legally certified has the same effect in evidence as the original.
- Suit may be brought on a copy of an official bond as on the original.
- No official bond shall be void because of defects in the form or substance or in the approval and filing thereof.
